

IN THE  
Court of Appeal of the State of California

IN AND FOR THE  
Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable James F. Thaxter, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Elaine J. Duffy, Deputy Clerk.

**F025181      Rakkar, et al. v. Pine Mountain Lake Association**

Parties stipulate that (1) Stone, J. the absent assigned justice participate in the determination of this appeal, and (2) Stone, J. to listen to the tape recording of oral proceedings upon his return.

Cause called and argued by Kent B. Seitzinger, Esq., counsel for appellant and by James P. Collins, Esq., counsel for respondent.

Cause ordered submitted.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Steven M. Vartabedian, Acting Presiding Justice; Honorable James F. Thaxter, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Anthony Lauria, Deputy Clerk.

**F025719      Avenal Hosptal District v. County of Kings, et al.**

Parties stipulate that (1) Stone, J. the absent assigned justice participate in the determination of this appeal, and (2) Stone, J. to listen to the tape recording of oral proceedings upon his return.

Cause called and argued by Theodore K. Stream, Esq., counsel for appellant; by Peter D. Mooock, Esq., Deputy County Counsel, counsel for respondent County of Kings, et al.; by Brian Lee Melikian, Esq., Deputy County Counsel, counsel for respondent County of Fresno and by George A. Petrulakis, Esq., counsel for respondent 911 Emergency Services, Inc..

Cause ordered submitted.

Court recessed until Monday, November 17, 1997 at 10:00 A.M.

**F028963      People v. Jetton**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

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**F028508      In re Tabitha S., a Minor**

No brief having been filed by appellant after notice duly given, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F026216      People v. Garcia**

The judgment is affirmed. Levy, J.

We concur: Ardaiz, P.J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F025271      People v. Moore**

The judgment is affirmed. Ardaiz, P.J.

We concur: Wiseman, J.; Levy, J.

[CERTIFIED FOR PARTIAL PUBLICATION]

**F027542      Estate of Murriel L. Kimball, Deceased**

The order is affirmed. Costs on appeal are awarded to respondent. Levy, J.

We concur: Ardaiz, P.J.; Harris, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]